

March 31, 2004

Exemption No. 7135B  
Regulatory Docket No. FAA-2002-11509

Mr. John A. Bedson  
Senior Vice President, Air Operations  
Atlantic Southeast Airlines, Inc.  
100 Hartsfield Centre Parkway, Suite 800  
Atlanta, GA 30354-1356

Dear Mr. Bedson:

This is in response to your February 22, 2004, letter petitioning the Federal Aviation Administration (FAA) on behalf of Atlantic Southeast Airlines, Inc. (ASA) for an extension of and amendment to Exemption No. 7135, as amended. That exemption from § 121.434(c)(1)(ii) of Title 14, Code of Federal Regulations (14 CFR) permits ASA to substitute a qualified and authorized check airmen in place of an FAA inspector to observe a qualifying pilot in command (PIC) while that PIC is performing prescribed duties during at least one flight leg that includes a takeoff and a landing when completing initial or upgrade training as specified in § 121.424. The amendment you request would remove the EMB-120 aircraft, as it is no longer operated by ASA and revert back to the original version.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of [amendment to] the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to ASA.

The FAA has determined that the justification for the issuance of Exemption No. 7135, as amended, remains valid with respect to this exemption.

AFS-04-294

In consideration of the foregoing, I find that a grant of exemption is in the public interest.

Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Exemption No. 7135, as amended, is hereby further amended by extending its March 31, 2004, termination date to March 31, 2006, unless sooner superseded or rescinded. This exemption is subject to the following revised conditions and limitations:

1. Each check airman performing the duties otherwise appropriate to an FAA inspector, under this exemption, must—
  - a. Be an employee of ASA;
  - b. Be qualified and current in the duties of the PIC in the aircraft being operated;
  - c. Be approved by the FAA Aircrew Program Manager; and
  - d. Have been employed by ASA as a check airman for a minimum of 6 months.
2. ASA must submit and have approved by its FAA principal operations inspector (POI), in a letter of approval, the name of each check airman to be used under this exemption before this use occurs.
3. Before each observation conducted under this exemption, ASA must contact its POI or the POI's designated representative. No observation may be conducted under this exemption unless the FAA determines there is not an FAA inspector available to observe the affected operation and so informs ASA.
4. The check airman observing the qualifying pilot must be other than the check airman conducting the operating experience flight.
5. Each operation conducted under this exemption must be recorded in ASA's approved training records.
6. No observations may be conducted under this exemption until the qualifying PIC has completed the minimum number of hours specified in § 121.434(c)(3).
7. Under this exemption, no more than 50 percent of the required operating experience observations may be accomplished by a qualified and authorized check airman rather than an FAA inspector during any 6-month period.

8. ASA must submit a training schedule in written form to its POI that includes the date(s) of each observation to be conducted under § 121.343. This training schedule must be submitted at least 20 days before any observation.
9. ASA must maintain the records necessary to demonstrate compliance with the conditions and limitations of this exemption.

Sincerely,

/s/

John M. Allen

Acting Director, Flight Standards Service